

Appl. No. : **09/988,850**
Filed : **November 19, 2001**

REMARKS

Claims 7 and 20 have been amended by this paper and Claims 1-6 and 21 have been canceled without prejudice to their inclusion in a continuing application. Claims 8 and 9 were previously canceled, and Claims 10-19 and 22-28 remain unchanged by this Amendment. Hence, by this paper, Claims 7, 10-20 and 22-28 are presented for further examination.

The specific changes to the amended claims are shown in the above section entitled AMENDMENTS TO THE CLAIMS. On this set of pages, the insertions are underlined while the ~~deletions are stricken through~~.

Applicant expresses appreciation to Examiner Yang and his Supervisor, Mr. Le, for the time spent in a personal interview with attorneys for Applicant on October 27, 2005. A summary of the substance of the interview is submitted herewith on a separate page.

In the Office Action mailed July 28, 2005, Claims 7, 10-13 and 16-26 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Coleman (U.S. Patent No. 3,799,742, hereinafter "Coleman") in view of Virtanen (U.S. Patent No. 6,030,581, hereinafter "Virtanen"). In addition, Claims 14, 15, 27 and 28 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Coleman in view of Virtanen, as applied to Claims 7 and 20, and further in view of Chow (U.S. Patent No. 6,167,910, hereinafter "Chow").

During the interview on October 27, 2005, Applicant discussed amendments to Claims 7 and 20 substantially in the form presented herein. In particular, Claim 7 includes, among other features:

a separation chamber in proximity to said substrate, said separation chamber including a first portion and a second portion, wherein the first portion contains a filter means and includes a first inlet port configured to communicate a material directly from a non-disc source to said filter means;

a first mixing chamber in direct fluid communication with said second portion of said separation chamber so as to receive material communicated directly from the separation chamber;

a second inlet port connected to the first mixing chamber and configured to communicate material received from a source other than the separation chamber to the first mixing chamber;

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a second mixing chamber in direct fluid communication with said second portion of said separation chamber, and not in direct fluid communication with said first mixing chamber so as to receive material communicated directly from the separation chamber; . . .

As the Examiner noted in the Interview Summary, Coleman "contains a mixing/separation chamber (Fig. 22, 306) prior to the filter means, (i.e., the filter means is not in direct contact with the sample introduced via the inlet port." As a result, the Examiner stated that "the proposed amendment would appear to overcome the reference." Applicant respectfully submits that Claim 7, as presented herein to include the features discussed above, defines subject matter which is patentable over the art of record. Furthermore, since independent Claim 20 includes, among other features, substantially corresponding limitations, Applicant submits that Claim 20 also defines subject matter which is patentable over the art of record. In addition, since Claims 10-19 and 22-28 each depend from one of independent Claims 7 and 20, Applicant respectfully submits that these dependent claims also define subject matter which is patentable over the art of record for at least the reasons set forth above with respect to Claims 7 and 20.

In view of the foregoing, Applicant respectfully submits that Claims 7, 10-20 and 22-28, as presented herein, define subject matter that is patentable over the art of record. Accordingly, Applicant respectfully submits that Claims 7, 10-20 and 22-28 are now in condition for immediate allowance and such prompt allowance of the same is respectfully requested.

CONCLUSION

Applicant has endeavored to address all of the concerns of the Examiner in view of the recent Office Action directed to the above-identified application. Accordingly, amendments to the claims, the reasons therefor and arguments in support of the patentability of the pending claims are presented above.

Any claim amendments which are not specifically discussed in the above remarks are not made for patentability purposes, and it is believed that the claims would satisfy the statutory requirements for patentability without the entry of such amendments. Rather, these amendments have only been made to increase claim readability, to improve grammar, and to reduce the time and effort required of those in the art to clearly understand the scope of the claim language. Any new claims presented above are of course intended to avoid the prior art, but are not intended as

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replacements or substitutes for any canceled claims. They are simply additional specific statements of inventive concepts described in the application as originally filed.

In light of the above amendments and remarks, reconsideration and withdrawal of the outstanding rejections is specifically requested. If the Examiner finds any remaining impediment to the prompt allowance of these claims that could be clarified with a telephone conference, the Examiner is respectfully requested to initiate the same with the undersigned.

Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.

Respectfully submitted,

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AMEND

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